

U. S. Department of the Interior
Bureau of Reclamation

Mid-Pacific Region
Lahontan Basin Area Office
Carson City, Nevada

Finding of No Significant Impact
and
Final Environmental Assessment

Conveyance of Non-Project Treated Effluent Water
in Newlands Project Lower Deep Diagonal Drain

Churchill County, Nevada

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FINDING OF NO SIGNIFICANT IMPACT

Conveyance of Non-Project Treated Effluent Water in Newlands Project Lower Deep Diagonal Drain

Environmental Assessment

I. Background

Bureau of Reclamation (Reclamation) consent is required for conveyance of non-project water in Reclamation facilities. The Environmental Assessment (EA) for this Finding of No Significant Impact (FONSI) analyzed the continued conveyance of up to 840 acre-feet per year (af/yr) of non-project treated effluent water through the Reclamation Newlands Project (Project) Lower Diagonal Deep (LDD) Drain.

The Reclamation LDD Drain is located in the Lahontan Valley in Churchill County, near Fallon Nevada. The treated water flows through the drain from the Naval Air Station Fallon (NAS Fallon) wastewater treatment plant to Stillwater National Wildlife Refuge (Stillwater NWR). The Truckee Carson Irrigation District (District) is responsible for operation and maintenance of Project facilities, including LDD Drain, under a contract with Reclamation.

Effluent from the NAS Fallon has been conveyed through Reclamation's LDD Drain to Stillwater NWR since the 1950s. NAS Fallon constructed a water treatment plant in 1995 and the treated effluent has been conveyed in the LDD Drain to Stillwater NWR since that time. Reclamation has never authorized the conveyance of this non-project water in their facilities.

II. Purpose and Need

The purpose of the proposed action is authorization by Reclamation of continued conveyance of NAS Fallon treated effluent water through the LDD Drain to wetlands at Stillwater NWR.

III. Alternative Descriptions

Alternative 1. Proposed Action - Authorize Conveyance

Under this alternative, Reclamation would authorize the continued conveyance of treated effluent diverted from NAS Fallon through the Project LDD Drain to Stillwater NWR. Expected flows would be approximately 320 af/yr. up to a maximum of 840 af/yr. NAS Fallon would be responsible for obtaining, complying with, and renewing as necessary the State of Nevada National Pollutant Discharge Elimination System (NPDES) permit for the diversion and conveyance of the treated effluent.

Reclamation would enter into a Memorandum of Agreement (MOA) with NAS Fallon and Stillwater NWR to define the roles and responsibilities of the three entities for the use of federal water diversion, storage and conveyance facilities to deliver water to Lahontan Valley wetlands.

After the MOA is signed, it is expected the U.S. Department of the Navy would apply to the Nevada State Engineer for a primary permit to appropriate its treated effluent. The Fish and Wildlife Service (Service) would then apply to the Nevada State Engineer for a secondary permit to appropriate the treated effluent at the treatment site within NAS Fallon and convey the effluent through Reclamation's LDD Drain to wetlands at Stillwater NWR. With the secondary permit the effluent would become a federally-owned water right and the Service would be able to direct the flows to the appropriate wetlands area consistent with existing wetlands management plans.

Alternative 2. No Action

Under this alternative Reclamation would not authorize the continued conveyance of treated effluent water in Reclamation Project facilities from NAS Fallon through the LDD Drain to Stillwater NWR. Current conveyance of treated effluent water from NAS Fallon through the LDD Drain would cease.

IV. Summary of Impacts

Reclamation's analysis in the EA indicates that there will be limited impacts from implementation of the EA Proposed Action alternative. Adverse impacts are restricted to short-term effects and no significant effects were identified for any resource. A summary of the impacts for resources considered in detail in the EA is as follows:

1. Newlands Project Operating Criteria and Procedures (OCAP): The conveyance of up to 840 af/yr of treated effluent water in the LDD Drain from NAS Fallon would have no effect on existing Project water rights, timing or amount of water diverted from the Truckee River to serve Project water rights. The conveyance would not change current use of water from either the Truckee or Carson rivers. The proposed primary and secondary water rights permits for the treated effluent would not increase Project demand under OCAP. The deliveries of the treated effluent to Stillwater NWR will not cause adverse effects to Project operations or efficiency of irrigation or drainage purposes.
2. Land Use and Economic: The conveyance of the non-project water is compatible with use and purpose for which the Project facilities were constructed and would not interfere with conveyance of Project water through Project facilities. No change in the use of Project water would occur and no modification of existing Project facilities would be required. Conveyance of the treated effluent water would not be in amounts excess of the capacity available in the LDD Drain.
3. Water Resources and Quality: The addition of up to 840 af/yr of treated effluent to the LDD Drain would not result in significant effects to either surface or ground water in the project area. Any infiltration of water from the relatively small amount of additional effluent in the

LDD Drain compared to irrigation and drainage valley-wide would constitute only very minor addition to the shallow aquifer and water quality effects in the aquifer are negligible. The NAS Fallon regulated effluent parameters have met the Nevada Department of Environmental Protection (NDEP) compliance limitations under a permit designed to meet the Clean Water Act. The effluent meets Nevada water quality standards and would have no impact on dependent resources and uses including wildlife in the LDD Drain or fish and wildlife at Stillwater NWR.

4. Public Health and Safety: No impacts to public health and safety would occur from the project. The proposed action is conditioned upon diversion of the treated effluent into the LDD Drain continuing to meet NDEP environmental permit standards and federal Clean Water Act standards. Both the LDD Drain and the Stillwater NWR areas proposed to convey/receive the treated effluent are not open to swimming, bathing or fishing. The treated effluent would not mix with any current or planned sources of municipal water supplies.
5. Vegetation: The current 320 af/yr flow helps sustain small areas of vegetation along the LDD Drain and beneficial wetlands-dependent plant species at the refuge. These areas of vegetation could decrease slightly if the flow was increased to 840 af/yr. and small bands of vegetation were inundated. The amount of existing vegetation and any decreases in vegetation are insignificant compared to the large amount of desert shrub vegetation in the surrounding areas of the project area. Noxious weed invasions colonize newly exposed lands.
6. Fish and Wildlife: The conveyance of the treated effluent would continue to support minor amounts of habitat along the drain and between 64 to 160 acres of habitat for waterfowl, shorebirds and other wetlands-dependent species at the refuge, which is not a significant amount compared to the approximate 14,000 acres of wetlands in the refuge. The proposed conveyance of treated effluent would benefit the wetlands by adding water for aquatic habitat, though the amount is not significant compared to the amount of existing wetlands. The quality of the treated effluent meets NDEP standards and there are no known adverse effects to fish, wildlife or other resource values or uses in the LDD Drain or at the refuge.
7. Threatened and Endangered Species: The Service has determined there are no federally listed or candidate plant or wildlife species in the project action area, therefore neither alternative has the potential to affect any listed or candidate species or their habitat.
8. Cultural Resources: The proposed action is not the type of activity that has the potential to affect historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1). The treated effluent water would be conveyed in existing drain facilities and no ground disturbing construction activities are required to convey the water.
9. Indian Trust Assets: The conveyance of the treated effluent would have no impact on the timing or amount of use of Project water from either the Carson or Truckee River and would not impact satisfying the exercise of water rights of either the Pyramid Lake Paiute Tribe or the Fallon Paiute-Shoshone Tribes. No fish, wildlife, water rights, land or trust income resources of either the tribe would be affected.

10. Environmental Justice: A review of “Land Use and Economics”, “Public Health and Safety”, and “Indian Trust Resources” environmental consequences sections has shown that the proposed action does not involve facility construction, population relocation, health hazards, hazardous waste, property takings, or substantial economic impacts. Consequently, it is concluded that implementing the proposed action would have no adverse human health or environmental effects on minority or low-income populations as defined by Environmental Justice policies and directives. The proposed action would disproportionately affect minority or low-income populations within the community.
11. Cumulative Effects: There are no known cumulative effects to the human environment from continuing the proposed LDD Drain conveyance combined with past actions and any known current or reasonably foreseeable future actions.

Environmental Commitments

A State of Nevada Pollutant Discharge Elimination System (NPDES) permit is required for the proposed action. NAS Fallon is responsible for obtaining, complying with, and renewing as necessary the State of Nevada permit. The current 5-year permit is dated June 22, 2007 with an expiration date of June 21, 2012.

The permit includes multiple standards for water quality monitoring. If monitoring in the future documents significant water quality impacts for the treated effluent, required mitigation would be implemented by NAS Fallon to resolve the impacts.

The Navy and the Service must comply with all applicable Reclamation laws, regulations and policies as may be amended and supplemented, and the rules and regulations promulgated by the Secretary under Reclamation law. The Navy and Service must also apply with other pertinent federal, state and local laws.

V. Consultation and Public Involvement:

Reclamation prepared the EA in coordination with the Service. Reclamation consulted with the District on the proposed project to ascertain if there were issues related to the continued conveyance of the treated effluent. Reclamation also consulted with NDEP for clarification on water quality parameters of the NAS Fallon Sewage Treatment Plant permit.

Press releases requesting comments on the EA were sent to Reclamation’s Regional “Mid-Pacific All the News” which includes the Lahontan Valley News. Notice of availability of the EA was sent to an interested parties list on November 17, 2008. The EA was posted at the Beck Library Western Nevada Community College - Fallon Campus and the Churchill County Library, both located in Fallon and on the Bureau of Reclamation Mid-Pacific NEPA website.

A tribal consultation letter dated September 11, 2008 requesting scoping comments on the proposed conveyance of treated effluent was sent to the Pyramid Lake Paiute Tribe and the

Fallon Paiute Shoshone Tribe. The draft EA and a letter requesting EA review and comments were provided to the Tribe on November 17, 2008.

Comments were received on the EA from Churchill County, Nevada State Lands, and the State Historic Preservation Office. All commenters supported the project as proposed.

VI. Decision and Findings

Reclamation's decision is to implement Alternative 1, identified as the Proposed Action in the EA. Based on the environmental analysis contained in the attached EA (November 2008) completed in accordance with the National Environmental Policy Act. Reclamation makes a finding of No Significant Impact as the project is not a major federal action and there is no evidence to indicate that the Proposed Action will significantly affect the quality of the human environment or the natural resources in the area. An environmental impact statement is therefore not required for the Proposed Action.